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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re	)	Case No. 08-35653-KRH
	)	
Circuit City Stores, Inc.,	)	Chapter 11
	)	
Debtor-in-Possession.	)	Jointly Administered
	)	

**MOTION TO APPEAR *PRO HAC VICE* PURSUANT  
TO LOCAL BANKRUPTCY RULE 2090-1(E)(2)**

Kimberly A. Pierro (the “Movant”), a member in good standing of the bars of, and admitted to practice in, the Commonwealth of Virginia, and admitted to practice before, among other courts, the United States Bankruptcy Court for the Eastern District of Virginia (the “Court”), and an associate with Kutak Rock LLP, hereby moves (the “Motion”) this Court to enter an order, the proposed form of which is attached hereto as Exhibit A, authorizing R. Lee Allen (a.k.a. Robert Lee Allen, Jr.) to appear *pro hac vice* before this Court to represent Magna Trust Company (n.k.a. Regions Bank), Trustee under Trust Agreement dated January 26, 1995 and known as Trust No. 01-90-0182-00 (Charles Robbins Realtor/Circuit City Partnership), a creditor in the above-captioned chapter 11 bankruptcy cases pursuant to Rule 2090-1(e)(2) of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Virginia (the “Local Bankruptcy Rules”). In support of the Motion, the Movant states as follows:

1. The Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C §§ 157 and 1334. The relief requested in this Motion is a core proceeding pursuant to 28 U.S.C § 157(b) and venue is proper before this Court pursuant to 28 U.S.C § 1409.

2. R. Lee Allen is a shareholder in the firm of Sorling, Northrup, Hanna, Cullen & Cochran, Ltd. located in Springfield, Illinois. He is admitted, practicing, and in good standing as a member of the bar of the Supreme Court of the State of Illinois. Among other courts, he is admitted to practice before the United States District Court, Central District of Illinois. He frequently represents clients in real estate matters. He has been practicing law since 1994. There are no disciplinary proceedings pending against Mr. Allen.

3. The Movant requests that this Court grant this Motion so that the Admittee may appear and be heard at hearings in these chapter 11 cases.

4. Pursuant to Local Bankruptcy Rule 2090-1(E)(2), “an attorney from another state, the District of Columbia or a territory of the United States may appear and practice in cases upon motion of a member of the Bar of this Court, provided that in all appearances said attorney shall be accompanied by a member of this Bar.”

#### **WAIVER OF MEMORANDUM OF LAW**

5. Pursuant to Local Bankruptcy Rule 9013-1(g), and because there are no novel issues of law presented in this Motion, the Movant requests that this Court waive the requirement that all motions be accompanied by a written memorandum of law.

#### **NO PRIOR REQUEST**

6. No prior request for the relief sought herein has been made to this Court in these bankruptcy cases or to any other court.

**WHEREFORE**, the Movant respectfully requests that this Court enter an order, substantially in the form attached hereto as Exhibit A, (i) authorizing the Admittee to appear *pro hac vice* in association with the Movant as attorneys for Magna Trust Company, Trustee (Charles Robbins Realtor/Circuit City Partnership) in the above chapter 11 cases and (ii) granting such other and further relief as is just and proper.

Dated: Richmond, Virginia  
February 6, 2009

Respectfully submitted,

/s/ Kimberly A. Pierro  
Kimberly A. Pierro (VSB No. 71362)  
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*Co-counsel for Magna Trust Company, Trustee*

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on February 6, 2009, a true and exact copy of the foregoing motion and proposed order were forwarded via ECF notification or by first class, postage prepaid, to the following necessary parties as set forth in the Order Establishing Certain Notice, Case Management, and Administrative Procedures entered November 13, 2008: (i) the Office of the United States Trustee for the Eastern District of Virginia, (ii) the Debtors and bankruptcy co-counsel, (iii) counsel to the Official Committee of Unsecured Creditors, (iv) counsel to the agents for the Debtors' pre-petition lenders, and (v) counsel to the agents for the Debtors' post-petition lenders.

/s/ Kimberly A. Pierro

Kimberly A. Pierro (VSB No. 71362)

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*Co-counsel for Magna Trust Company, Trustee*

**EXHIBIT A**

Proposed Order

KUTAK ROCK LLP  
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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re	)	Case No. 08-35653-KRH
	)	
Circuit City Stores, Inc.,	)	Chapter 11
	)	
Debtor-in-Possession.	)	Jointly Administered
	)	

**ORDER GRANTING MOTION TO APPEAR *PRO HAC VICE* PURSUANT TO  
LOCAL BANKRUPTCY RULE 2090-1(E)(2)**

THIS MATTER having come before the Court upon the Motion to Appear *Pro Hac Vice* Pursuant to Local Bankruptcy Rule 2090-1(e)(2) (the “Motion”)<sup>1</sup> of Kimberly A. Pierro, an associate with the law firm of Kutak Rock LLP, for the admission *pro hac vice* of R. Lee Allen (a.k.a. Robert Lee Allen, Jr.) the Court finds that (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iii) proper and adequate notice of the Motion and the hearing thereon has been given and that no other or further notice is necessary, and (iv) good and sufficient cause exists for the granting of the relief requested in the Motion after having given due deliberation upon the Motion and all of the proceedings had before the Court in connection with the Motion. Therefore,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is GRANTED.

2. R. Lee Allen (a.k.a. Robert Lee Allen, Jr.) is permitted to appear *pro hac vice* as counsel for Magna Trust Company (n.k.a. Regions Bank), Trustee under Trust Agreement dated January 26, 1995 and known as Trust No. 01-90-0182-00 (Charles Robbins Realtor/Circuit City Partnership), a creditor in the above-captioned chapter 11 cases in accordance with Local Bankruptcy Rule 2090-1(e)(2).

Entered: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge

I ask for this:

/s/ Kimberly A. Pierro  
Peter J. Barrett (Va. Bar No. 46179)  
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*Co-counsel for Magna Trust Company, Trustee*

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<sup>1</sup> Unless otherwise defined herein, all capitalized terms shall have the meaning ascribed to them in the Motion.